

REMARKS/ARGUMENTS

Claims 1-2, 4-16 and 18-23 are now active in this application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephenson (USPN 5,757,388) in view of Amoni et al. (USPN 5,884,086).

Claims 4-9 and 11-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephenson in view of Amoni et al. and Yokoyama (USPN 5,694,226).

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephenson in view of Amoni et al., Yokoyama and Kawai et al. (USPN 5,805,780).

Claims 15, 16 18, 19 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephenson in view of Amoni et al., Kawai et al., Meese et al. (USPN 4,532,418), and *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

Claims 20-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephenson in view of Amoni et al., Kawai et al. and Meese et al.

The rejections are respectfully traversed.

II. In the invention recited in independent claim 1, a printer initiates a preparatory operation involving the printer when a camera has been connected to the printer. In this regard, the Examiner indicates that Stephenson (USPN 5,757,388) discloses the control unit of claim 1 (see p. 8, lines 4-10 of the Detailed Action).

However, Stephenson states that, "It is advantageous for the camera 10 and the ink jet printer 12 to indicate the change in camera display 18 from a display to a data transmission

mode. This is accomplished by a sensor on the camera detecting printer presence.” (see col. 3, line 65 - col. 4, line 1 of Stephenson). Thus, Stephenson discloses that a preparatory operation involving the camera display 18 is performed according to the output from an interface controller, and does **NOT** disclose a structure for performing a preparatory operation involving a printer (a control unit for controlling ... the printing unit so as to prepare for image forming), as in the invention recited in claim 1. Furthermore, Stephenson discloses that the camera performs the preparatory operation according to the output from the interface controller, and does not disclose a structure for a printer performing a preparatory operation, as in the present invention.

On the other hand, Stephenson states in relation to printer operations that, “The operator signals the start of printing using printer electronics 30” (see col. 3, line 44 of Stephenson). Thus, *the printer operations are clearly performed as a result of instructions input by an operator, and not according to output from an interface controller*. Accordingly, Stephenson and Amoni et al. (USPN 5,884,086) do not disclose the control unit of the present invention, and a person of ordinary skill in the art would not have found the present invention obvious over Stephenson and Amoni, considered alone or in combination.

Consequently, the allowance of independent claim 1 is respectfully solicited.

Regarding the invention recited in independent claim 2, the Examiner indicates that in Stephenson, power supply to the printer is controlled according to the output from an interface controller (see p. 10, line 27 - p. 11, line 2 of the Detailed Action).

However, Stephenson merely discloses that a latch driver 26 permits the securing and release of the camera (see col. 2, line 60-64 of Stephenson), and does not disclose anything regarding the power supply being controlled according to whether or not a camera is attached. This passage in Stephenson is simply directed toward preventing the camera from being removed

while the printer receiver device 32 is reading the camera display, and has absolutely nothing to do with power supply. In Stephenson, printer operations are performed as a result of an input instruction from an operator, as mentioned above, and the power supply is also clearly controlled according to an instruction input by an operator. Accordingly, independent claim 2 is patentable over Stephenson and Amoni as they do not disclose or suggest the control unit of the invention recited in independent claim 2.

Independent claim 8 requires “a control unit for controlling power supplying to the fixing unit according to whether the interface controller outputs the first logical level signal or the second logical level signal” and independent claim 11 requires “a control unit for controlling the switching unit so as to switch the fixing unit from the standby mode to the fixing mode when the interface controller outputs the first logical level signal”. As noted above, in Stephenson, printer operations are performed as a result of an input instruction from an operator and the power supply is also clearly controlled according to an instruction input by an operator. Accordingly, independent claims 8 and 11 are patentable over Stephenson and Amoni as they do not disclose or suggest the control unit of the invention recited in independent claims 8 and 11.

Consequently, the allowance of independent claims 2, 8 and 11, as well as of dependent claims 4-7, 9, 10 and 12-14, is respectfully solicited.

Regarding the invention recited in independent claims 15 (a charge collecting unit for collecting a charge ... for an amount of the power that has been supplied to the external device), 20 (a charge collecting unit for collecting a charge for an amount of the power that has been supplied to the external device), 21 (a charge collecting step for collecting a charge for an amount of the power that has been supplied by the power supply apparatus) and 23 (a charge for the amount of power that has been supplied to the external device is collected if power is

the amount of power that has been supplied to the external device is collected if power is supplied to the external device without image forming being performed by the image forming apparatus), the Examiner relies upon the electric vehicle related invention of Meese et al. (USPN 4,532,418), stating that it would have been obvious to combine the electric vehicle related invention Meese et al. with Stephenson, Amoni and Kawai et al. (USPN 5,805,780) to meet the terms of the claims.

As noted in the previous response, Meese et al. relates to *a charging meter and method for electric vehicles*, permitting charging of an electric vehicle at a parking location in response to use of a charge card and storing charging and parking information for subsequent retrieval to facilitate billing to the owner of the charge card. In contrast, the invention recited in independent claim 23 is directed to an image forming apparatus that includes a charge collecting unit for collecting a charge for an amount of power that has been supplied to an external device (transmitting image data) connected to the image forming apparatus.

As noted in the previous response also, Meese et al. is clearly directed to a nonanalogous art as that of the other applied references, as well as that of the inventions recited in independent claims 15, 20, 21 and 23. *In re Clay*, 966 F.2d 656, 23 USPQ2d 1058 (Fed. Cir. 1992); *Ex parte Dussaud*, 7 USPQ2d 1818 (BPAI 1988). Accordingly, it cannot be said that one having ordinary skill in the relevant art would have been charged with knowledge of Meese et al.

The Examiner should recognize that even if the prior art *could* be modified so as to result in the combination defined by the claims the modification would not have been obvious unless the prior art suggested the desirability of the modification. *In re Deminski*, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986). In the absence of such a prior art suggestion for modification of the

references, the basis of the rejection is no more than inappropriate hindsight reconstruction using appellant's claims as a guide. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

Since neither Stephenson, Amoni et al. nor Kawai et al. disclose or suggest adapting (using) the charging meter and method for electric vehicles disclosed in Meese et al. to an image forming unit to which a camera (transmitting image data) is connected, the requisite motivation required to establish a *prima facie* case of obviousness is nonexistent. Therefore, the present rejection is an example of the use of impermissible hindsight considerations to reject the claims.

Thus, independent claims 15, 20, 21 and 23 are patentable over Stephenson, considered alone or in combination with Amoni et al., Kawai et al. and Meese et al. Consequently, the allowance of independent claims 15, 20, 21 and 23, as well as of dependent claims 16, 18, 19 and 22, is respectfully solicited.

CONCLUSION

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

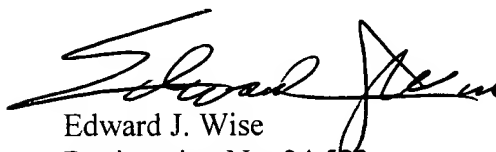
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

09/585,339

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Edward J. Wise
Registration No. 34,523

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 EJW:cac
Facsimile: 202.756.8087
Date: January 12, 2006

**Please recognize our Customer No. 20277
as our correspondence address.**